

A bill concerning vendor's lien on real estate.

And a bill to amend the 8th section of the act of 5th February 1840, concerning conveyances.

The report of the committee on the Judiciary, on a bill to define the homestead in a town or city, was on motion of Mr. Potter, laid on the table.

The report of the committee on Private Land Claims, on a bill for the relief of W. P. Tindall, offering amendments thereto, was read, amendments adopted, and bill ordered to be engrossed.

On motion of Mr. Throckmorton, the rule was suspended, bill read 3rd time and passed.

On motion of Mr. Potter, Mr. Shepard was excused for one week, from and after Tuesday next.

On motion of Mr. Hyde, the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, December 17th, 1859.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Grimes presented the petition of William Herty, for relief. Referred to committee on Private Land Claims.

Mr. Quinan presented the petition of the county court of Brazoria county, praying confirmation of certain acts of the court. Referred to the committee on the Judiciary.

Mr. Fall, chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed :

Joint Resolution of the State of Texas, approving the course of Mr. Buchanan President of the United States, Gov. Wise of Virginia, and Gov. Parker of Pennsylvania.

A bill to amend the 34th section of an act, to regulate proceedings in the District Court, passed May 13th, 1856.

A bill for the relief of the heirs of John Gates.

And a bill for the relief of Myram Mudget, and his assignees.

Mr. Guinn, chairman of the committee on Claims and Accounts, made the following report:

The committee on Claims and Accounts, to whom was referred a bill to appropriate two thousand dollars to pay for supplies furnished Capt. Tobin's command, have considered it, and have instructed me to report a substitute, and recommend its passage. A majority of the committee have instructed me to say that they

are fully satisfied that the person or persons who furnished supplies to said company ought to be paid a reasonable price for such supplies furnished as the State is bound to supply ; but that they will not consent to pay for fire arms, in any case, to this company or any other company of Rangers, from the fact the State pass such men on the service \$25 per month, and that they must supply themselves with arms, horses, and all the necessary equipages for the trip, or expedition, and that the State will only pay for so many horses or mules, and wagons, as are necessary for transportation, and for such a fair price, and that the State will only pay 40 cents for rations and forage, per day, for man and horse, or 20 cents for a man and the same for his horse ; and should a Captain make a contract with a gentleman to furnish him or his company with supplies at a higher price than those above stated, the State will not pay the same, but will cut it down to the charges named in this report, and that the contractor must look to the Captain for the extra price.— The committee see no good reason why the State should pay any more for supplies, than an individual ought to pay for the same kind of articles. The committee make the report on this bill and make these suggestions, because the State has troops now in the field, and will likely have more, and they think that there ought to be some settled policy established as to supplies furnished the troops by contractors, and they hope that commanding officers and contractors will look to this and observe the same, and shape their course so as to have no conflict of vouchers, and that all may fare alike, and that justice may be done.

Mr. Fall, chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed:

A bill for the relief of William P. Tendall.

A bill making an appropriation to pay Assessors and Collectors for taking the scholastic census for the year 1859.

A bill for the relief of Andreas Manchaca.

A bill granting a Pension to Charles Shepard.

A bill concerning vendors lien on real estate.

And a bill to amend the eighth section of the act of 5th February 1840, entitled an act concerning conveyances.

Mr. Quinan, from the committee on Internal Improvements, to whom was referred the bill to incorporate the Columbus Tap Railway Company, reported the same back to the Senate with the following amendments and recommended its passage.

Amend section 3rd by inserting in place of "one" in the second line "three," so that the capital stock shall be \$300,000.

Amend section 5 by striking out "ten" in the first line and inserting "forty."

Strike out sections 11, 12 and 13.

In section 14 strike out all after "Railway Company" in the fourth line, and insert, "And shall be entitled to receive the benefits of the laws, to encourage the construction of railroads in Texas by donations of lands, in proportion to the length of their road though the same be less than ten miles long. This company shall be allowed three years from the passage of this act, to complete their road and bridge across the Colorado river, and unless the same be fully completed in that time, they shall forfeit all rights under this charter. This company is to be subject to all general laws of the State, to regulate railroad companies, and the right is reserved to the State at all times to pass such laws as may be proper for the regulation of the same and the public interest.

A message was received from the House informing the Senate that the House had passed a bill originating in the House, to make an appropriation for furnishing the Governor's Mansion.

Mr. Pitts, chairman of the committee on the Land Office, to whom was referred a Joint Resolution, "authorizing the Comptroller to contract for 500 copies of a new Abstract of titled lands reported the same back to the Senate and recommended its passage.

On motion of Mr. Townes, the rule was suspended, the Joint Resolution taken up, read and passed to a 3rd reading.

On motion of Mr. Guinn the rule was further suspended, Resolution read 3rd time and passed.

Mr. Whaley, chairman of the Joint committee on the part of the Senate, for the Inauguration of the Governor and Lieutenant Governor, made the following report:

The Joint committee appointed to make arrangement for the Inauguration of the Governor and the Lieutenant Governor elect on the 21st inst., on the part of the Senate, beg leave to report: That the inauguration shall take place in the Hall of the House of Representatives, at Eleven (11) o'clock, A. M. That the two branches of the Legislature shall meet in the House 1-4 before 11 o'clock. The Speaker in the chair, and the President of the Senate on his right, that the Chief Justice and Associate Justices of the Supreme Court, with the Attorney General, shall occupy seats on the platform before the Speaker's chair. That the heads of Departments and officers of the late Republic of Texas, shall occupy seats on the left of the platform. That the Senators shall occupy seats on either side of the isle of the

House, and the Representatives, as near as possible to the Speaker's chair. That the ladies shall occupy seats within the bar of the House, and that citizens shall occupy seats without the bar and in the gallery. The retiring Governor, the Governor and Lieutenant Governor, with the committee will enter the House at 11 o'clock, and be seated—the retiring Governor and Governor elect, on the right of the Speaker's chair, and the Lieutenant Governor on the left. Prayer by the Chaplain of the Senate. The retiring Governor and Lieutenant Governor will deliver their valedictory, and immediately after, the Governor and Lieutenant Governor elect will have the oath of office administered to them respectively, by the Chief Justice of the Supreme Court.

On motion of Mr. Whaley, the rule was suspended and report taken up and adopted.

Mr. Stockdale chairman of the committee on Enrolled Bills, reported a bill to legitimate Donacana Thomas, late Donacana Howland.

And a bill to amend an act to incorporate the Houston Tap, and Brazoria Railway Company, passed September 1st, 1856, correctly enrolled, duly signed and this day presented to the Governor.

#### ORDERS OF THE DAY.

A bill to authorize the Commissioner of the General Land Office, to issue patents upon surveys heretofore made in the form required by law. Read.

The question being on the adoption of the amendment offered by Mr. Schleicher.

On motion of Mr. Guinn, the amendment was laid on the table, and the bill was then ordered to be engrossed.

On motion of Mr. Walker, the rule was suspended, bill read 3rd time and passed.

A bill for the relief of the heirs of A. Spain Summerlin, dec'd. Read 3rd time and passed.

A bill empowering the County Court of the County of Calhoun to regulate and restrain the running at large of hogs in said county. Read.

On motion of Mr. Throckmorton the Senate resolved itself into a committee of the whole upon the bill, with Mr. Rainey in the chair. After spending sometime therein, the committee arose and reported, that no progress had been made.

The question being on the passage of the bill to a 3rd reading.

Mr. Scarborough, moved to indefinitely postpone the bill, upon which the yeas and nays were as follows:

YEAS—Messrs. Chambers, Dickinson, Fall, Grimes, Guinn, Hart, Herbert, Quinan, Scarborough, Shepard, Sims, Stockdale and Walker—13.

NAYS—Messrs. Erath, Gentry, Harman, Hade, Martin, Parsons, Pitts, Rains, Rainey, Throckmorton, Townes, Wallace and Whaley—13.

There being a tie the President voted in the negative. So the motion to postpone indefinitely was lost—the bill was then rejected.

A bill to incorporate the Hebrew congregation, at the city of Houston, together with the report of the committee on the Judiciary, offering amendments thereto was read, amendments adopted, and bill passed to a 3rd reading.

On motion of Mr. Martin, the rule was suspended, bill read 3rd time and passed by the following vote :

YEAS.—Messrs. Chambers, Dickinson, Duggan, Erath, Fall, Gentry, Grimes, Guinn, Harman, Hart, Herbert, Hyde, Lott, Martin, Parsons, Pitts, Rains, Rainey, Scarborough, Sims, Stockdale, Throckmorton, Townes, Walker, Wallace and Whaley—26.

NAYS—none.

A bill to repeal an act creating a system of bankruptcy, and regulating the collection of foreign debts. Read and passed to a 3rd reading.

On motion of Mr. Throckmorton, the rule was suspended, bill read 3rd time and passed.

A bill for the relief of Michael K. Hammond. Read and passed to a 3rd reading.

On motion of Mr. Guinn, the rule was suspended, bill read a 3rd time and passed.

A bill for the relief of Hannah B. Buckner. Read and passed to a 3rd reading.

On motion of Mr. Gentry, the rule was suspended, bill read a 3rd time and passed.

A bill to amend an act to incorporate the Houston Tap and Brazoria Railway Company, passed September 1, 1856, and for their relief, was on motion of Mr. Guinn, laid on the table.

The report of the committee on the Judiciary recommending the rejection of a bill to amend the 8th section of an act regulating fees of office, approved March 20, 1848, and to add an additional section to said act, was read and adopted.

A bill authorizing a creditor to bring suit against his debtor in the county where such debt has been contracted when the debtor after contracting such debt, removes from said last mentioned

county to some other county within the limits of this State, together with the report of the committee on the Judiciary, recommending its rejection, was read.

On motion of Mr. Wallace, the report was laid on the table.

Mr. Wallace offered a substitute for the bill.

Mr. Guinn, moved to refer the substitute and bill to the committee on the Judiciary.

Mr. Wallace moved to lay the motion on the table. Lost.

The reference was then made.

A bill amendatory of an act passed September 1, 1856, for the relief of Nathaniel Prescott, R. S. Wheat, S. G. McGaughey, and Eliza Green, together with the report of the committee on the Judiciary offering a substitute therefor, was read, substitute adopted and bill ordered to be engrossed.

On motion of Mr. Guinn, the rule was suspended, bill read 3rd time and passed.

A bill concerning party walls, and division walls, fences and ditches in common and otherwise. Read.

And on motion of Potter, made the order of the day for Monday the 19th inst.

A bill authorizing and requiring the county courts of the several counties of this State, to lay off their respective counties into Commissioners' districts, and to provide for the election of county Commissioners therein, together with the report of the committee on the Judiciary, recommending its rejection, was read.

On motion of Mr. Martion, the report was laid on the table.

Mr. Guinn moved to lay the bill on the table. Lost.

On motion of Mr. Throckmorton, the bill was made the order of the day for Tuesday, the 20th inst.

A bill to permit Mercer Colony certificates to be located upon any vacant public domain of the State, together with the report of the committee on Public Lands offering amendments thereto, was read, amendments adopted, and bill ordered to be engrossed by the following vote:

YEAS.—Messrs. Chambers, Dickinson, Erath, Fall, Guinn, Harman, Hart, Hyde, Lott, Martin, Parsons, Pitts, Potter, Quinan, Rains, Scarborough, Shepard, Sims, Stockdale, Throckmorton, Townes, Walker, Wallace and Whaley—24.

NAYS.—Messrs. Grimes and Herbert—2.

On motion of Mr. Walker, the rule was suspended, bill read 3rd time and passed.

A bill to provide for the record of certain field notes, together with the report of the committee on Public Lands, offering an amendment thereto, was read.

Mr. Quinan offered the following as an amendment to the amendment offered by the committee :

"And field notes taken from the land office for the purpose of being recorded, shall not thereby lose the right vested by their original return to the Land Office in accordance with the laws now in force." Adopted.

The amendment of the committee as amended was then adopted, and bill ordered to be engrossed.

On motion of Mr. Throckmorton, the rule was suspended, bill read 3rd time and passed.

A bill for the relief of Myram Mudgett and his assignees. Read 3rd time and passed.

A bill to authorize the county court of Collin county to levy a special tax for the erection of a court house therein. Read 1st and 2nd times and referred to the committee on Finance.

A bill to incorporate the Western Texas Life, Fire and Marine Insurance Company of the city of Indianola. Read 1st and 2nd times and referred to the committee on the Judiciary.

A bill making an appropriation for furnishing the Governor's Mansion. Read 1st and 2nd times and referred to the committee on Public Buildings.

On motion of Mr. Guinn, the Senate adjourned until Monday morning at 10 o'clock.

MONDAY, December 19, 1859

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—no quorum present.

On motion of Mr. Lott, the Senate adjourned until to-morrow morning at 10 o'clock.

TUESDAY, December 20th, 1859.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The Journal of Saturday was read and adopted.

Mr. Grimes presented the petition of H. P. Garner for relief. Referred to the committee on the Judiciary.

Mr. Harman presented the petition of sundry citizens of Hopkins county, for money. Referred to the committee on State Affairs.